

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )

v. )

JAMES E. REID )

CRIMINAL NO. 04-10031-WGY

MOTION TO AMEND CONDITIONS OF RELEASE

Defendant, James E. Reid, with the assent of the United States Pretrial Services, moves to amend the conditions of his release. Specifically, Mr. Reid moves to have the condition that he reside at Coolidge House be amended to allow him to reside at Buckingham Business Apartments or some other equally suitable address in Boston, Massachusetts. In support of his motion, Mr. Reid states as follows:

1. On or about April 27, 2004, Mr. Reid appeared before the District Court in the Western District of New York pursuant to a warrant and indictment filed in the District of Massachusetts. The Court released Mr. Reid on conditions that included a \$100,000.00 bond secured by \$15,000.00 cash. The Court ordered Mr. Reid to appear in the District of Massachusetts.

2. On May 6, 2004, Mr. Reid appeared as directed in the District of Massachusetts. The Court ordered Mr. Reid released in accordance with the conditions set by the Western District of

New York with the added condition that he report by phone to pretrial services twice a week.

3. On December 1, 2005, the United States Marshals arrested Mr. Reid at Logan Airport while he was in route to meet with his attorneys. Mr. Reid was arrested pursuant to a warrant for his arrest for a hearing on revocation of conditions of release. The motion for revocation of conditions of release was based on allegations that Mr. Reid had committed a new federal, state, or local offense.

4. On December 7, 2005, following a hearing on the Government's motion to revoke conditions of release, this Court released Mr. Reid on the amended condition that he reside in Coolidge House pending his trial on January 23, 2006. The primary reasons for requiring Mr. Reid to remain in the Boston area was to assure the Court that Mr. Reid would not seek further employment and provide Pretrial Services with more direct oversight of Mr. Reid.

5. Since the Court amended his conditions of release on December 7, Mr. Reid has abided by the Court's order and resided at Coolidge House. Coolidge House's primary role is to assimilate people released from prison prior to their living in the community. As such there are fairly rigid rules that one must comply with in regard to leaving the facility. Moreover, Coolidge House requires that residents meet certain criteria,

i.e. attain employment, prior to any of the restrictions being lifted. While Mr. Reid has been able to meet with his attorneys, he is restricted in all other aspects.

6. In addition, Mr. Reid would like to reside with his family while he awaits trial on this matter. This is not possible at Coolidge House.

7. Mr. Reid has found an alternative residence in Boston. Specifically, Mr. Reid requests that his conditions of release be amended to allow him to reside at Buckingham Business Apartments located at 240 Commonwealth Avenue, Boston, MA 02116.

8. Chief United States Pretrial Services Officer, John R. Riley, has been contacted about this request and indicated that a change in residence would not effect Pretrial Services' ability to satisfactorily monitor Mr. Reid in accordance with the concerns reflected in the Court's order of December 7. This motion has been discussed with Mr. Riley and he has given his assent to this motion.

9. As indicated above, the Court's order requiring Mr Reid to reside at Coolidge House was premised on a concern that Mr. Reid not seek further employment and being able to effectively monitor him. The Court believed that these concerns could not be met if Mr. Reid were allowed to return to Canada. By way of this motion, Mr. Reid in no way seeks to evade those concerns. Mr. Reid would still be subject to monitoring by Pretrial Services

and he would be barred from seeking employment. 10. Finally, the Court has rescheduled the trial in this case from January 23, 2006 to February 6, 2006. Accordingly, if the instant motion were denied Mr. Reid would be confined to Coolidge House until that time.

Accordingly, Mr. Reid requests that the Court amend his conditions of release to allow him to reside at Buckingham Business Apartments, 240 Commonwealth Avenue, Boston, MA 02116.

JAMES E. REID  
By His Attorneys,

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December 16, 2005

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